



**CITY OF MORGAN HILL  
COUNCIL CHAMBERS**

17555 PEAK AVENUE   MORGAN HILL   CALIFORNIA 95037

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**COUNCIL MEMBERS**

Dennis Kennedy, Mayor  
Greg Sellers, Mayor Pro Tempore  
Hedy L. Chang, Council Member  
Steve Tate, Council Member  
Larry Carr, Council Member

**PLANNING COMMISSION**

Barbara Sullivan, Chair  
Patricia McMahon, Vice-Chair  
Geno Acevedo, Commissioner  
Robert J. Benich, Commissioner  
Ralph Lyle, Commissioner  
Joseph Mueller, Commissioner  
Charles Weston, Commissioner

**Housing Element Task Force**

Council Member Larry Carr  
Joseph Mueller, Planning Commissioner  
Charles Weston, Planning Commissioner  
Shanna Boignon, Task Force Member  
Lisa DeSilva, Task Force Member  
Jim Gerlach, Task Force Member  
Dennis Lalor, Task Force Member  
Jeff Perkins, Task Force Member  
Scott Schilling, Task Force Member

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**WEDNESDAY, DECEMBER 12, 2001**

**AGENDA**

**JOINT MEETING**

**CITY COUNCIL SPECIAL MEETING,**

**PLANNING COMMISSION SPECIAL MEETING,**

**and**

**HOUSING ELEMENT TASK FORCE SPECIAL MEETING**

*A Special Meeting is called at 6:30 P.M. for the purpose of  
conducting Closed Sessions.*

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**Dennis Kennedy, Mayor/Chairperson**

**6:30 P.M.**

**CALL TO ORDER**

(Mayor/Chairperson Kennedy)

**ROLL CALL ATTENDANCE**

(City Clerk/Agency Secretary Torrez)

**DECLARATION OF POSTING OF AGENDA**

**Per Government Code 54954.2**

(City Clerk/Agency Secretary Torrez)

## ***City Council Action***

**CLOSED SESSIONS:**

**1.**

**CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**

Significant Exposure/Initiation of Litigation

Authority: Government Code Section 54956.9(b) & (c)

Number of Potential Cases: 2

## ***City Council and Redevelopment Agency Action***

**2.**

**CONFERENCE WITH LEGAL COUNSEL - POTENTIAL AND EXISTING LITIGATION:**

**CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

Legal Authority: Government Code 54956.8 & 54956.9(a) & (c) (1 potential case)

Real Property(ies) involved: APN 728-31-007 & 008; 25.50 acres located on the southwesterly side of  
Cochrane Road (St. Louise Hospital property)

City Negotiators: Agency Members; Executive Director; Agency Counsel; F. Gale Conner,  
special counsel; Rutan & Tucker, special counsel

Case Name: San Jose Christian College v. City of Morgan Hill

Case Numbers: Santa Clara County Superior, No. CV 799179; USDC Northern California No.  
C01-20857 RMW

Closed Session Topic: Potential Existing Litigation/Real Estate Negotiations

**3.**

**CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

Authority: Government Code section 54956.9(a)

Name of Case: Hacienda Valley Mobile Estates v. City of Morgan Hill et al.

Case No: C 01-20976 PVT, United States District Court, Northern District of California

Attendees: City Council, City Manager, City Attorney

**OPPORTUNITY FOR PUBLIC COMMENT**

**ADJOURN TO CLOSED SESSION:**

**RECONVENE:**

**CLOSED SESSION ANNOUNCEMENT:**

**7:00 P.M.**

**SILENT INVOCATION**

**PLEDGE OF ALLEGIANCE**

**INTRODUCTIONS**

Jerry Galvin  
*Police Chief*

**PUBLIC COMMENT**

**NOW IS THE TIME FOR COMMENTS FROM THE PUBLIC REGARDING ITEMS NOT ON THIS AGENDA.**  
(See notice attached to the end of this agenda.)

**PUBLIC COMMENTS ON ITEMS APPEARING ON THIS AGENDA WILL BE TAKEN AT THE TIME  
THE ITEM IS ADDRESSED BY THE COUNCIL. PLEASE COMPLETE A SPEAKER CARD AND  
PRESENT IT TO THE CITY CLERK.**  
(See notice attached to the end of this agenda.)

**PLEASE SUBMIT WRITTEN CORRESPONDENCE TO THE CITY CLERK/AGENCY SECRETARY. THE CITY  
CLERK/AGENCY SECRETARY WILL FORWARD CORRESPONDENCE TO THE CITY  
COUNCIL/REDEVELOPMENT AGENCY.**

***City Council, Planning Commission and Housing Element Task  
Force Action***

**WORKSHOP:**

- 1) **HOUSING ELEMENT WORKSHOP ..... 1**
1. To Review and Evaluate the Effectiveness of the City's Existing Housing Programs in Meeting the Goals, Policies, and Quantified Objectives of the City's Current Housing Element
  2. To Review Proposed Modifications to the Current Goals, Policies and Quantified Objectives of the Housing Element so as to Better Address the City's Future Housing Needs, and
  3. To Reach Consensus Regarding Any Necessary Modifications to the Proposed Goals, Policies and Actions for the Draft Element.

## ***City Council and Redevelopment Agency Action***

### **OTHER BUSINESS:**

	<b>Time Estimate</b>		<b>Page</b>
2)	5 minutes	<b><u>SELECTION OF CITY COUNCIL MAYOR PRO TEMPORE AND REDEVELOPMENT AGENCY VICE-CHAIR</u></b> .....	5
		<b><u>Recommended Action(s):</u></b>	
		<b><i>City Council:</i></b>	
		1. <b><u>Open Floor</u></b> to Nomination(s) for Mayor Pro Tempore, and	
		2. <b><u>Select</u></b> Council Member to Serve as Mayor Pro Tempore Per City Council Policy.	
		<b><i>Redevelopment Agency:</i></b>	
		1. <b><u>Open Floor</u></b> to Nominations for Vice-chair, and	
		2. <b><u>Select</u></b> Agency Member to Serve as Vice-chair Per Redevelopment Agency Bylaws.	

## ***City Council Action***

### **CONSENT CALENDAR:**

The Consent Calendar, Agenda Items #3; #4 through #5 and #6 may be acted upon with one motion, a second and the vote, by each Respective Agency. The Consent Calendar items are of a routine or generally uncontested nature and may be acted upon with one motion. Pursuant to Section 5.1 of the City Council Rules of Conduct, any member of the Council or public may request to have an item pulled from the Consent Calendar to be acted upon individually.

	<b>Time Estimate</b>		<b>Page</b>
		<b>Consent Calendar: 1 - 10 Minutes</b>	
3)		<b><u>EXCEPTION TO LOSS OF BUILDING ALLOCATION, ELBA-00-13: NINA LANE-SHAW</u></b> .....	9
		<b><u>Recommended Action(s): Adopt</u></b> Resolution No. 5548 Approving an Exception to Loss of Building allotment and Six Month Extension of Time to June 30, 2002.	

## ***Redevelopment Agency and City Council Action***

	<b>Time Estimate</b>		<b>Page</b>
		<b>Consent Calendar: 1 - 10 Minutes</b>	
4)		<b><u>APPROVE JOINT SPECIAL AND REGULAR REDEVELOPMENT AGENCY AND SPECIAL CITY COUNCIL MEETING MINUTES FOR NOVEMBER 28, 2001</u></b> .....	15

## ***City Council Action***

**Time Estimate** **Page**  
**Consent Calendar: 1 - 10 Minutes**

- 5) **NOVEMBER 2001 FINANCE AND INVESTMENT REPORT** ..... 37  
**Recommended Action(s): Accept and File** Report.

## ***Redevelopment Agency Action***

**Time Estimate** **Page**  
**Consent Calendar: 1 - 10 Minutes**

- 6) **NOVEMBER 2001 FINANCE AND INVESTMENT REPORT** ..... 63  
**Recommended Action(s): Accept and File** Report.

## ***City Council Action***

### **OTHER BUSINESS:**

**Time Estimate** **Page**

- 7) **5 minutes** **REVIEW OF CITY COUNCIL COMMITTEES AND APPOINTMENTS TO OUTSIDE AGENCIES** ..... 75  
**Recommended Action(s):**  
1. **Review** the Current List of Assignments and Appointments and Make Suggested Changes to the Mayor; and  
2. Mayor to **Appoint** Council Members to Serve on the Various Council Committees and Outside Agencies Subject to City Council Approval.
- 8) **10 minutes** **REFUNDING OF SOUTH COUNTY REGIONAL WASTEWATER AUTHORITY (SCRWA) MORGAN HILL SERIES 1992B REVENUE BONDS** ..... 97  
**Recommended Action(s):**  
1. **Adopt** Resolution No. 5546 Taking Certain Actions in Connection with the Proposed Sale and Issuance of Refunding Revenue Bonds by SCRWA; and  
2. **Adopt** Resolution No. 5547 Approving as to Form and Authorizing the Execution and Delivery of Certain Documents in Connection with the Sale and Issuance of Refunding Bonds to Refund the SCRWA Morgan Hill Series 1992B bonds and Authorizing Certain Other Actions.
- 9) **10 minutes** **NEW CITY LOGO** ..... 107  
**Recommended Action(s):**  
1. **Provide** Additional Direction to Staff on the Logo Design; or  
2. **Approve** the Recommended Logo

### **FUTURE COUNCIL-INITIATED AGENDA ITEMS:**

Note: in accordance with Government Code Section 54954.2(a), there shall be no discussion, debate and/or action taken on any request other than providing direction to staff to place the matter of business on a future agenda.

**ADJOURNMENT**